

Appln No. 10/647,070
Amdt date December 4, 2006
Reply to Office action of October 4, 2006

REMARKS/ARGUMENTS

Applicant thanks the Examiner for the thorough examination of the application. Applicant also thanks the Examiner and her supervisor for the time and courtesy extended to Applicant and Applicant's attorneys during the telephone interview of December 1, 2006. During the telephone interview, rejection of certain claims under 35 U.S.C. § 112 were discussed. Applicant's attorneys also brought paragraphs [0038] and [0039] of the instant application to the Examiner's attention, as containing support for some of the claim limitations. Also, the 35 U.S.C. § 103 rejection of claim 1 over Gai et al. (US 2002/0147800) and Williams (US 6,993,033) and the 35 U.S.C. § 102 rejection of claim 20 over Gai et al. were discussed. No agreement was reached on the allowability of any claims.

Claims 1-24 remain in the present application, of which claims 1, 16-18, 20-21 and 23 are independent. Claims 1, 16-18, 20-21 and 23 have been amended herein. No new matter has been added. None of the claims has been cancelled. Applicant respectfully requests that the rejection of claims 1-24 be withdrawn and that these claims be allowed in view of the following amendments and remarks.

Independent claims 1, 16, 17, 18, 20, 21 and 23 were rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. As these independent claims were amended to address the Examiner's concerns, Applicant respectfully requests that the § 112 rejection of these claims be withdrawn. The subject matter of claims added in this amendment does not constitute new matter as it is fully disclosed in FIGs. 4-6 and paragraphs [0064] to [0094] of the specification as originally filed.

Each of the independent claims 1, 16, 17, 18, 20, 21 and 23 have been amended to incorporate a limitation directed to configuring the plurality of networks nodes "to have finite states consisting of: an idle state; a discovery state; a reconfiguration state; a search state; a wait state; and a registration state." (emphasis added). As discussed above, this limitation is fully disclosed in the application as originally filed. Unlike the switches according to the spanning tree algorithm taught by Gai et al., which "causes the switches to elect a single switch, among all

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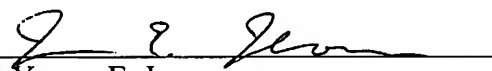
the switches within each network, to be the "root" switch," the network nodes in the claimed invention do not hold such election, as the network nodes in these claims have finite states consisting of only six different states as disclosed in FIGs. 4-6 and paragraph [0064] to [0094] of the application as filed.

Applicant submits that the amendment to the independent claims 1, 16, 17, 18, 20, 21 and 23 is of a nature that would not require a new search. Therefore, Applicant requests that the amendment to these claims be entered. Further, none of the cited references teaches or suggests the newly added limitations. Therefore, claims 1, 16, 17, 18, 20, 21 and 23 are patentably distinguishable over the cited references.

Claims 2-15, 19, 22 and 24 depend, directly or indirectly, from the independent claims 1, 18, 21 and 23. Therefore, these claims each incorporate all the terms and limitations of the respective base claim and any intervening claim or claims, that together further patentably distinguish them over the cited references. Therefore, Applicant requests that the rejection of claims 2-15, 19, 22 and 24 be withdrawn and that these claims be allowed.

In view of the foregoing amendments and remarks, Applicant earnestly solicits an early issuance of a Notice of Allowance with claims 1-24. If there are any remaining issues that can be addressed over the telephone, the Examiner is cordially invited to call Applicant's attorney at the number listed below.

Respectfully submitted,
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